

REMARKS

Drawings

The drawings are revised as suggested by the Examiner. Replacement and annotated drawing sheets are included as attachments.

Figs. 4 and 7 are corrected to change the reference designator for the suspend circuit from 74 to 72.

Figs. 1A-1C are revised to include the legend "Prior Art".

Fig. 3 is corrected to change the location of reference designator 22.

Figs. 5 and 7 are revised to show an input signal to the suspend circuit. Support for this revision can be found throughout the specification, for example, at page 6, lines 15-18.

Fig. 1C is revised to include reference designator 18.

Specification

The specification is amended as suggested by the Examiner.

Claim Objections

Claim 4 is objected to because the power threshold is expressed in terms of a current. Applicant traverses this objection. For a given operating voltage, current is related to power, so a person of ordinary skill in the art would understand that a power threshold may be expressed in terms of a current limit as explained in the specification, for example, at page 5, lines 28-30.

Claim Rejections -- 35 U.S.C. §102

Claims 1-3, 9-15, 18-22 and 25-27 are rejected under 35 U.S.C. §102(a) as being anticipated by Gilbert (U.S. Patent Application Publication No. 2001/0003205). Applicant traverses this rejection.

Claim 1 is amended to recite that the local power supply comprises a circuit to be coupled to an *external* supply (other than the external bus power source). Gilbert does not disclose a local power supply that derives its power from an external source. Gilbert only discloses a local power supply that is an internal energy storage device such as a battery (page 2, lines 10-11 of paragraph [0016]). Therefore claim 1 is not anticipated by Gilbert, nor are claims 2, 3, 4, 9 or 10 which depend from claim 1.

(In view of the amendment to the local power supply, the term “external bus power source” is now used with the power supply interface to prevent any possible confusion.)

Claim 11 recites that the local power supply comprises a transformer. Support for this limitation may be found in the specification, e.g., at page 4, line 31. Gilbert does not disclose a local power supply comprising a transformer.

Claim 12 is amended to recite that the local power source obtains its power from an *external* supply (other than the external bus power source). As discussed above with respect to claim 1, Gilbert does not disclose a local power supply that derives its power from an external source. Therefore claim 1 is not anticipated by Gilbert, nor are claims 13, 14, 15, 18, and 19 which depend from claim 12.

(Again, the term “external bus power source” is now used with the power supply interface to prevent any possible confusion.)

New claim 29 recites that the local power supply comprises a transformer. Gilbert does not disclose a local power supply comprising a transformer.

Claim 20 is amended to recite providing power from a combination of an external bus power source and from *an external power source other than the external bus power source*. Gilbert does not disclose providing power from two external power sources. Gilbert only discloses providing power from an external bus source and an internal energy storage device such as a battery (page 2, lines 10-11 of paragraph [0016]). Therefore claim 20 is not anticipated by Gilbert, nor are claims 21 and 22 which depend from claim 20.

Claim 25 is amended to recite adding power from a local *external* power source. Gilbert does not disclose a local external power source. Gilbert only discloses an external bus power source and a local energy storage device such as a battery. Therefore, Claim 25 is not anticipated by Gilbert nor are claims 26 and 27 which depend from claim 25.

Claim Rejections -- 35 U.S.C. §103

Claims 5-8 and 16-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gilbert in view of *Zener Regulators* (2/13/2001, <http://hyperphysics.phy-astr.gsu.edu/hbase/electronic/zenereg.html>). Applicant traverses this rejection, which is based on an impermissible hindsight reconstruction of the claimed invention. A *prima facie* case of obviousness has not been established.

In formulating this rejection, the Examiner notes that Gilbert does not disclose the particulars of the power sharing circuits recited in claims 5-8 and 16-17. The Examiner then concludes, however, that it would have been obvious to use these particular arrangements

based on the *Zener Regulator* reference (which does not even have a publication date). In essence, the Examiner is arguing that it would have been obvious to try to use any type of voltage regulator in the power sharing circuit. But "obvious to try" is not the standard under 35 USC § 103. *In re Dow Chemical Co.*, 837 F.2d, 469, 473, 5 USPQ2d 1529, 1532 (Fed. Cir. 1985). A determination that something is obvious under Section 103 has been held to be error where what would have been obvious to try would have been to vary all parameters or try each of numerous different possible choices where the prior art gave no indication of which parameters were critical or no direction as to which of many possible choices is likely to be successful. *In re O'Farrell*, 7 USPQ2d 1673, 1681 (CAFC 1988). Here, Gilbert discloses a voltage regulator, but provides no guidance as to the particular form of the claimed invention or how to achieve it. Thus, a *prima facie* case of obviousness has not been established.

Allowable Subject Matter

Claims 23, 24 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims have been amended as suggested by the Examiner.

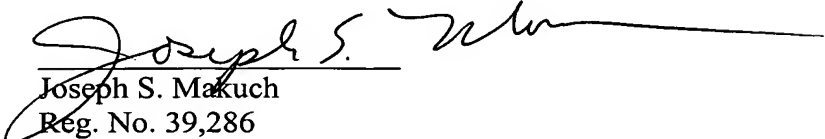
Conclusion

Applicant requests reconsideration in view of the foregoing amendments and remarks. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Customer No. 32231

Respectfully submitted,

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IN THE DRAWINGS

Replacement and annotated drawing sheets showing changes to Figs. 1A-1C, 3, 4, 5 and 7 are included as attachments.



Annotated Sheet Showing Changes

1/10

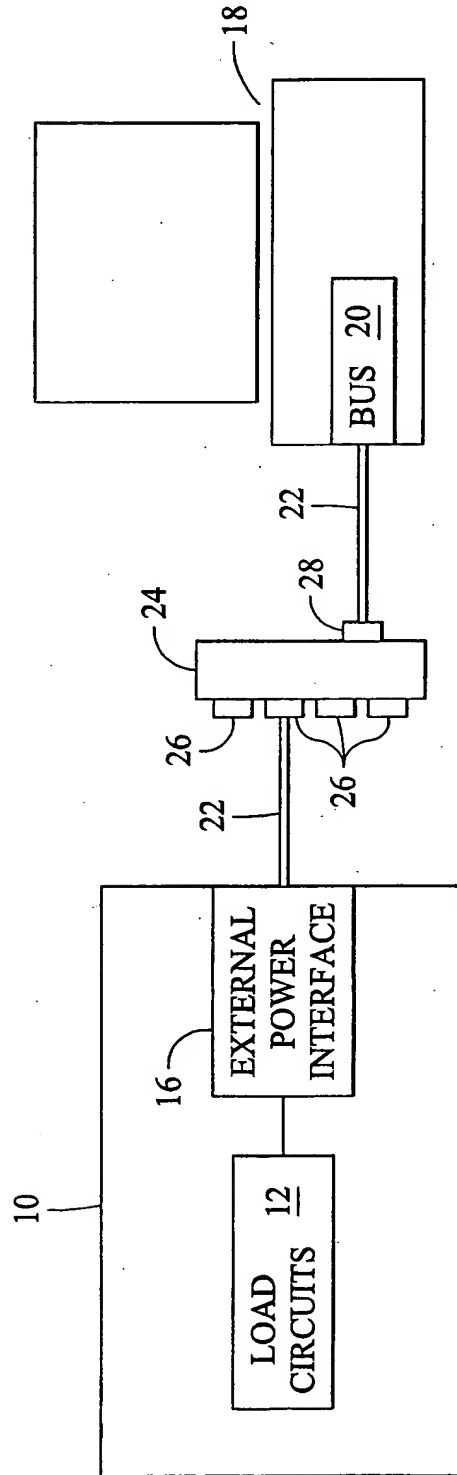


FIG. 1A (PRIOR ART)

Annotated Sheet Showing Changes

2/10

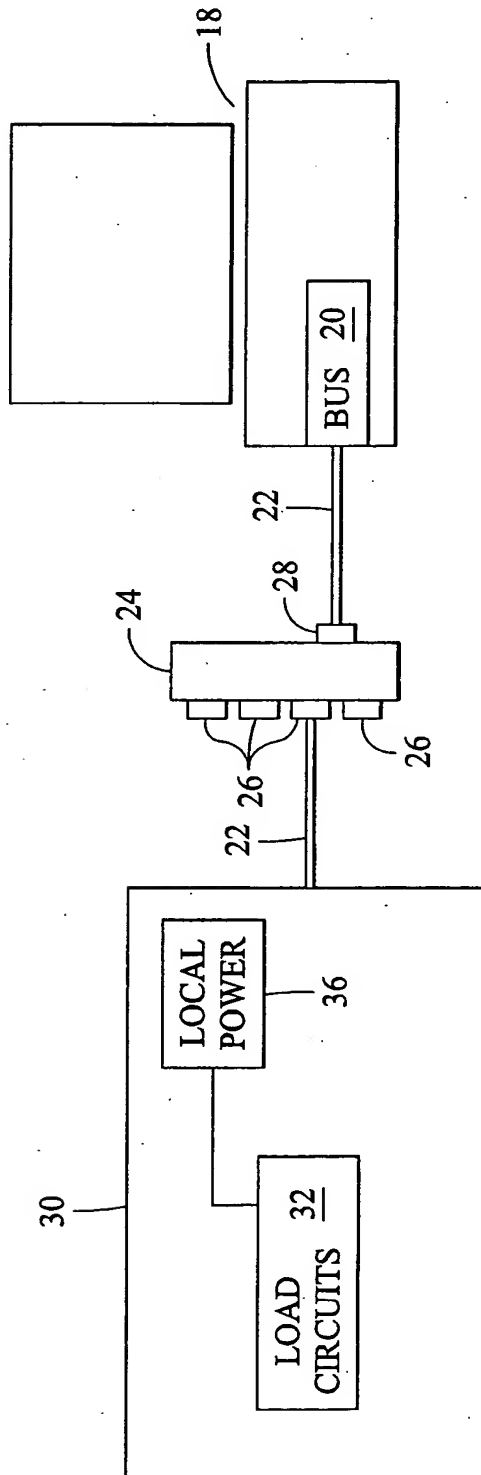


FIG. 1B (PRIOR ART)

Annotated Sheet Showing Changes

3/10

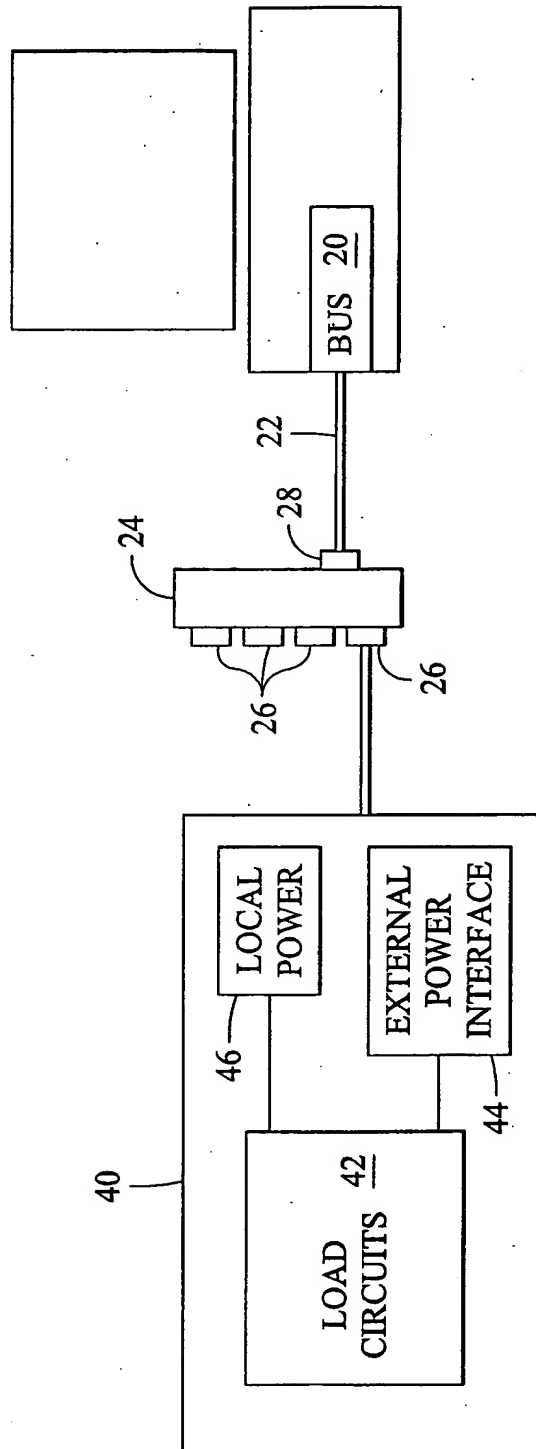


FIG. 1C (PRIOR ART)

Annotated Sheet Showing Changes

4/10

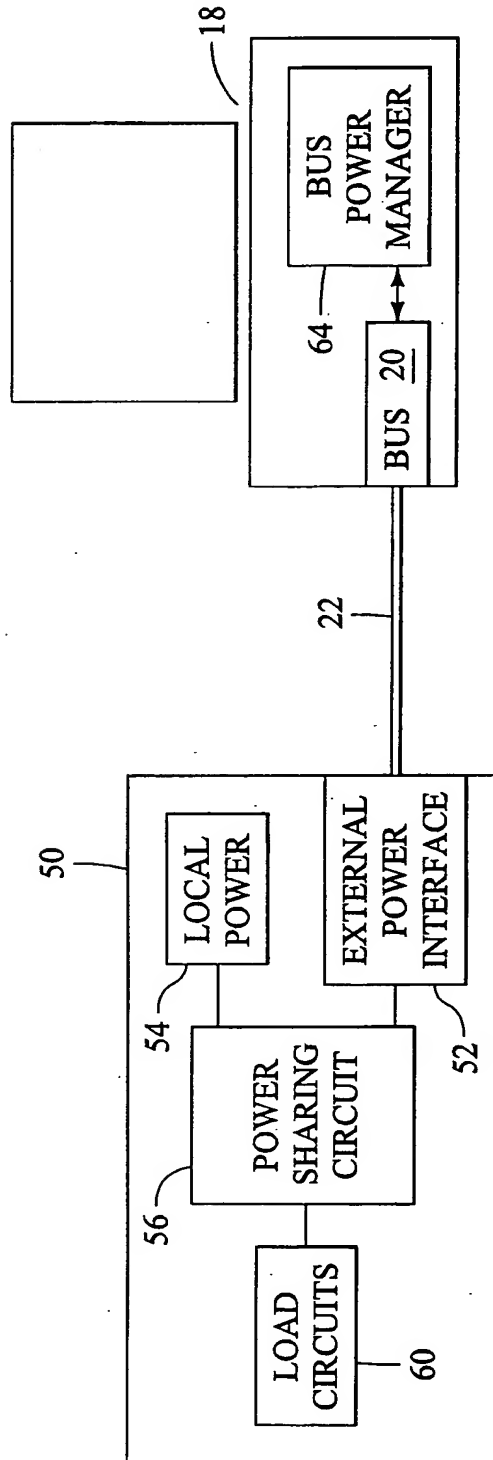


FIG. 2

Annotated Sheet Showing Changes

5/10

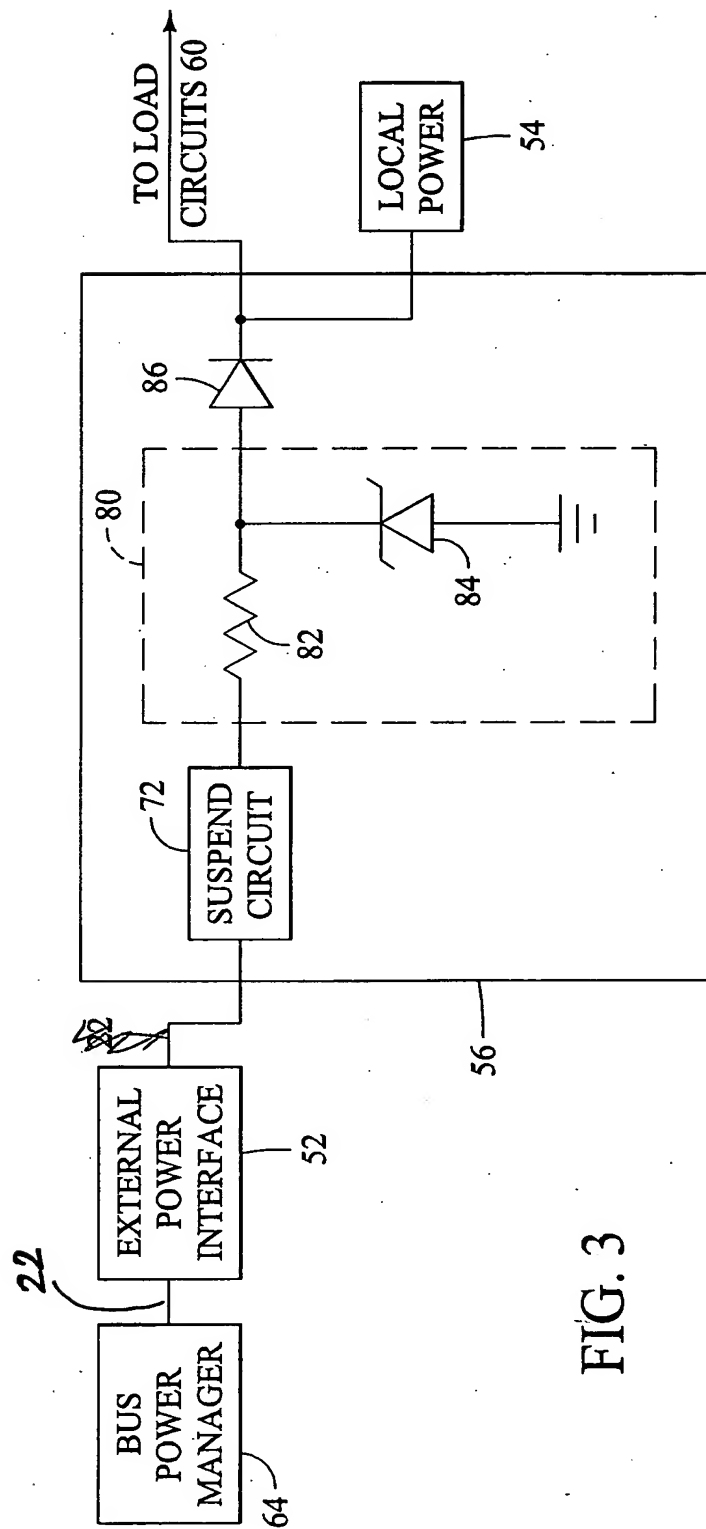


FIG. 3

Annotated Sheet Showing Changes

6/10

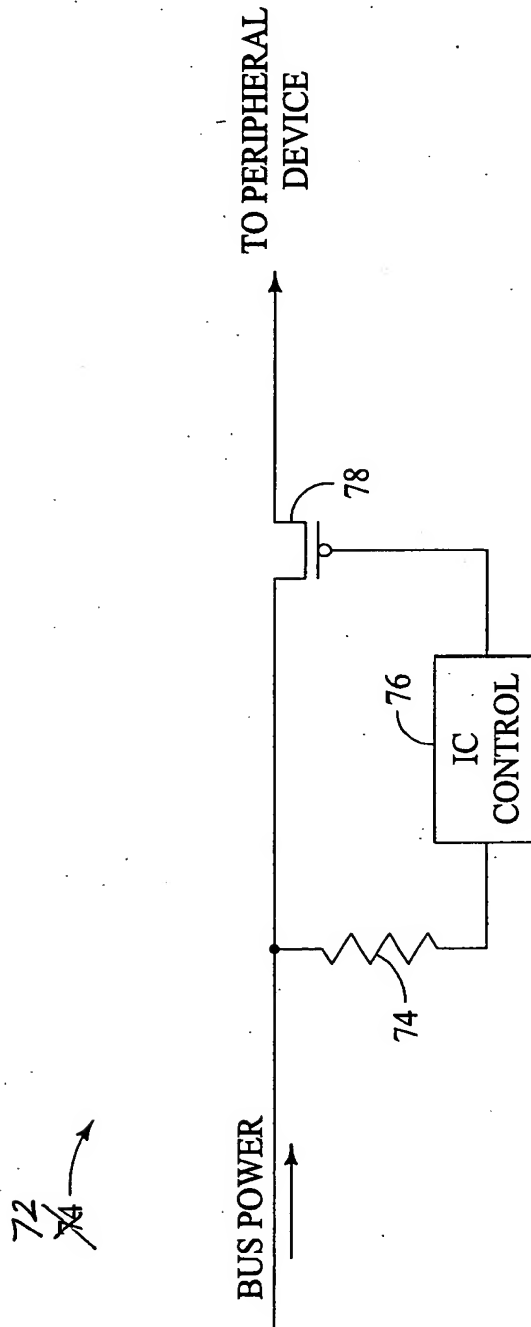


FIG. 4

Annotated Sheet Showing Changes

7/10

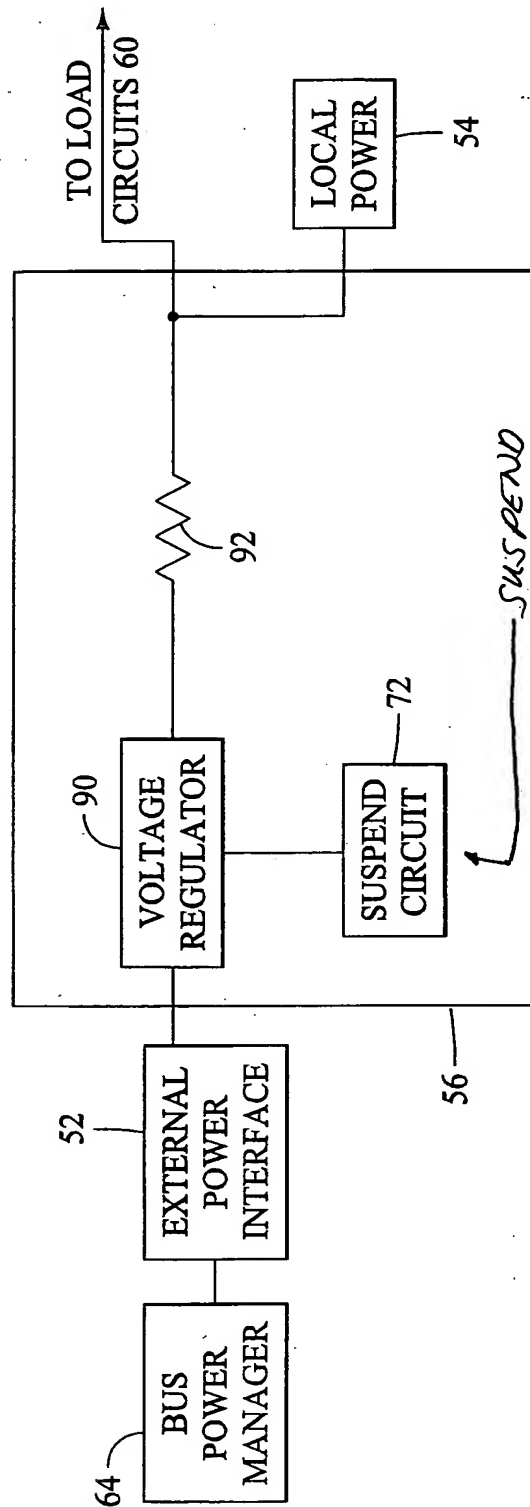


FIG. 5

Annotated Sheet Showing Changes

8/10

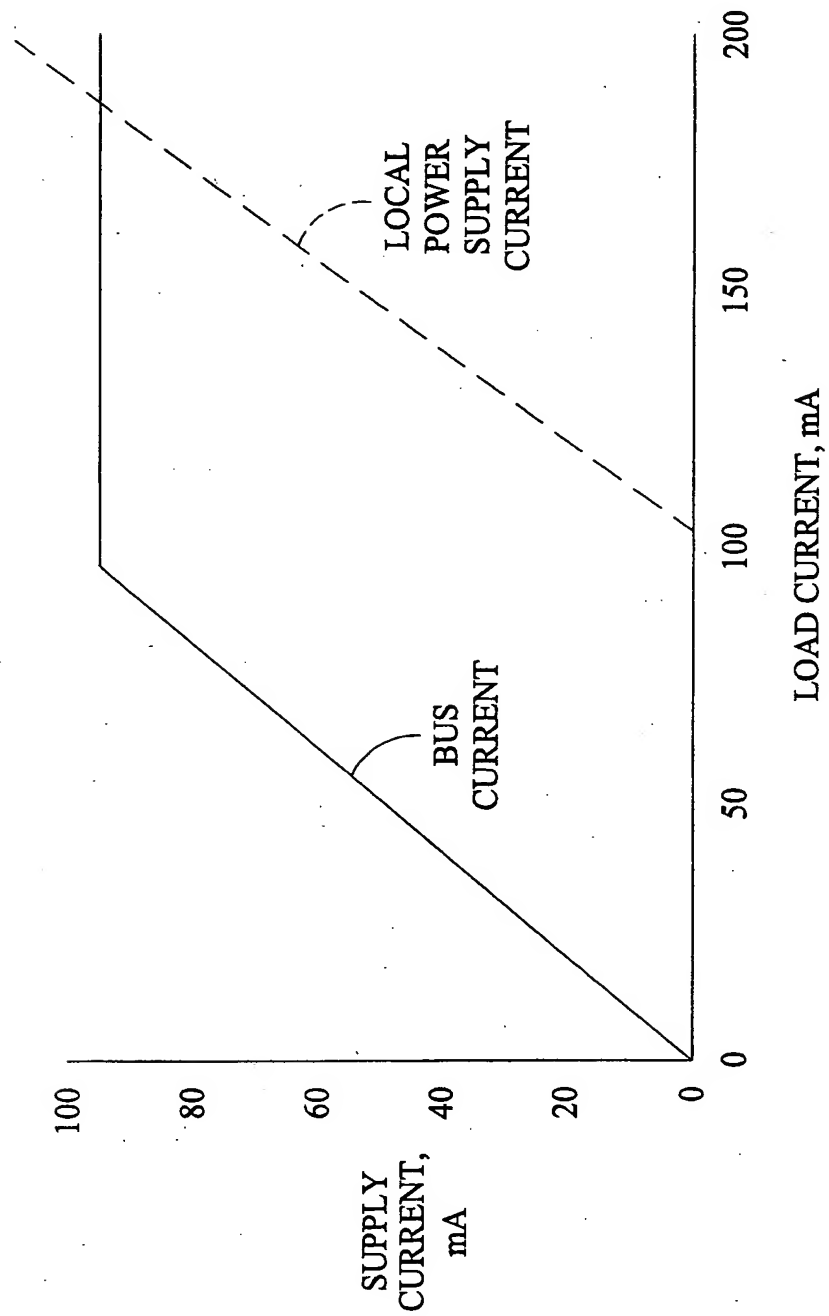


FIG. 6

Annotated Sheet Showing Changes

9/10

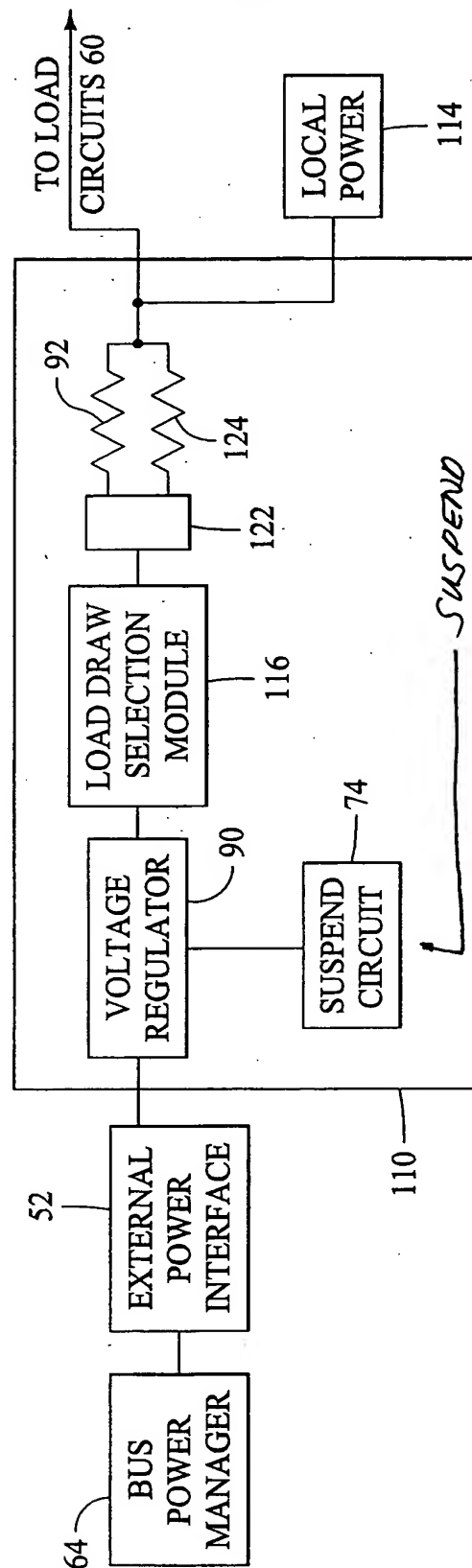


FIG. 7

10/10

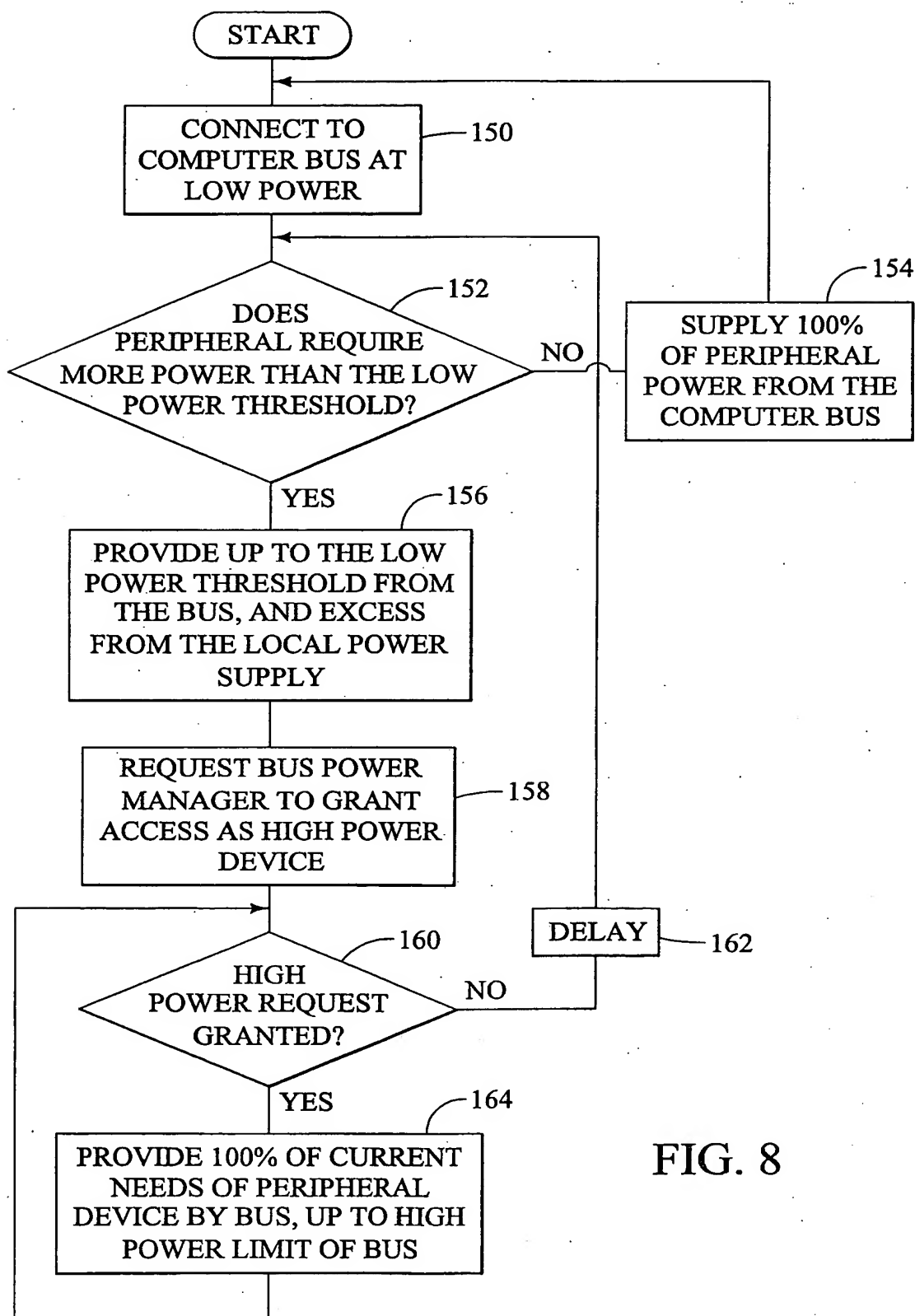


FIG. 8